

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 150

January 29, 1947.
Social Security.

By SLOANE and BURKMAN.

A BILL FOR

An Act to amend sections four hundred ten point six (410.6) and four hundred ten point five (410.5), Code, 1946, relating to pension funds and annual assessments therefor, and providing that the same shall be applicable to certain deputy bailiffs of municipal courts in cities having a population of one hundred twenty-five thousand or more.

WHEREAS, in the enactment of sections four hundred ten point six (410.6) and four hundred ten point five (410.5), Code, 1946, and the amendments thereto, pertaining to the creation and disbursement of pension funds and benefits to the members of the police and fire departments in certain cities in the State of Iowa, no provision was made for the participation in such benefits by deputy bailiffs with civil service rights in municipal courts in cities having a population of one hundred twenty-five thousand or more, which deputy bailiffs at all times have been and are compelled by the nature of their official duties to serve warrants of arrest, search warrants, warrants of seizure of personal property, to apprehend criminals, transport prisoners from within and without the State of Iowa, and perform generally the hazardous duties of a policeman granted pension benefits under said code provisions; and

WHEREAS, said deputy bailiffs have no protection whatsoever in the event of permanent disability received in line of duty or old age and cannot secure life and accident insurance, except such as is granted policeman, due to their hazardous occupation; and

WHEREAS, said deputy bailiffs are and have been since the date of their appointment entitled to receive the same pension benefits granted policemen which cannot be available to them unless this bill is enacted; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section four hundred ten point six (410.6),
2 Code, 1946, is amended by adding thereto the following:
3 “For the purposes of this chapter, deputy bailiffs with
4 civil service rights, in municipal courts in cities having
5 a population of one hundred twenty-five thousand or more
6 who have served regularly in such capacity since prior to
7 March 1, 1934, shall be entitled to all of the benefits pro-
8 vided under this section from the date of their original
9 appointment to said office upon the payment by them of
10 membership fees and assessments as hereinafter provided.”

1 Sec. 2. Section four hundred ten point five (410.5),
2 Code, 1946, is amended by adding thereto the following:
3 “Any deputy bailiff with civil service rights, in
4 municipal courts in cities having a population of one hundred
5 twenty-five thousand or more, who has served regularly in
6 such capacity since prior to March 1, 1934, who desires to
7 receive the benefits under the provisions of this chapter,
8 shall first pay to the treasurer of the board of trustees
9 administering said pension funds, a membership fee to be
10 fixed by the board of trustees of such funds not exceeding
11 five dollars and shall also first pay to the treasurer of the
12 board of trustees administering said pension funds an amount
13 in cash equal to one per cent of the total salary which shall
14 have been received by said deputy bailiff from the time of
15 his appointment as such deputy bailiff to the date of his coming

16 under the provisions of this chapter, and in addition thereto,
17 shall thereafter be required to pay to the treasurer of said
18 board of trustees administering said pension funds, an amount
19 equal to one percent upon the total amount of annual salary
20 received by said deputy bailiff from the commencement of the
21 period of time when said deputy bailiff comes under the pro-
22 visions of this chapter, which amount shall be paid so long
23 as said deputy bailiff shall be employed as such, and which
24 assessment shall be deducted and retained by the city in equal
25 monthly installments out of his salary.”

1 Sec. 3. This act shall not apply to deputy bailiffs
2 employed after the effective date of chapter four hundred
3 eleven (411), Code, 1946.

1 Sec. 4. In event that any phrase, clause, or section
2 of this act be found to be unconstitutional for any reason,
3 such unconstitutionality shall not have the effect of
4 invalidating those other portions of this act which may be
5 found to be constitutional, but those other portions which
6 are bound to be constitutional shall continue to remain and
7 be in full force and effect.

EXPLANATION OF H. F. 150

The purpose of this bill is to grant permission, equivalent to statutory policemen's pensions, to deputy bailiffs with civil service rights in municipal courts in cities having a population of 125,000 or more, where such deputy bailiffs have served regularly since prior to March 1, 1934, and by nature of their official duties have served warrants of arrest, search warrants, warrants of seizure of personal property, apprehended criminals, transported prisoners, including felons, from within and without the state of Iowa, and performed generally the same hazardous duties of a policeman, provided said deputy bailiffs contribute statutory membership fees and assessments covering period from date of their appointment and in future, equivalent to those paid by policemen.

The records in the Municipal Court of the City of Des Moines, which is the only city affected by this bill, disclose that such deputy bailiffs have repeatedly faced death and permanent disability at the hands of desperate criminals, and said deputy bailiffs

have no protection whatsoever in the event of permanent disability received in line of duty or old age and cannot secure life and accident insurance, except such as is granted policemen, due to their hazardous occupation, unless pension benefits are allowed by this bill.